

**CLLEAN**

1171303 - R8 SDMS

**CITIZENS FOR LOWRY LANDFILL ENVIRONMENTAL ACTION NOW****71 Algonquin Street • Aurora, CO 80018 • (303) 364-2905 • FAX (303) 361-6713**

January 13, 1999

Jack W. McGraw, Deputy Regional Administrator, Region VIII Environmental Protection Agency  
FAX (303)312-6859

Howard Roitman, Director, Hazardous Materials and Waste Management Division  
Colorado Department of Human Health and Environment. FAX (303)759-5355

**DELIVERED VIA FACSIMILE - 2 PAGES****RE: Lowry Landfill Superfund Site Oversight Activities****Dear Mr. McGraw and Mr. Roitman**

I am writing on behalf of the members of CLLEAN to advise you of our grave concerns regarding the lack of communication between the City of Denver, Waste Management, Inc. and the Environmental Protection Agency (EPA) and the Colorado Department of Human Health and Environment (Agencies.)

Members of CLLEAN and their Technical Advisor Tom Pyle met with you during the Summer of 1998. At that meeting we expressed our concerns that the City of Denver and Waste Management are not always forthright with the Agencies or the impacted citizens. We also expressed concern that the City of Denver was not as attentive to detail and oversight at the Lowry Landfill Superfund site as they are at the Rocky Mountain Arsenal or at the Shattuck site. When we questioned how can we be confident that all is being done to protect the citizens and the environment Mr. Dodson said; "we are the experts, if you can't trust us, who can you trust?"

Lately, we have reviewed a slew of very disconcerting pieces of correspondence between the Agencies, Denver and Waste Management. The information leads us to ask - how can we trust that the EPA and Colorado Department of Human Health and Environment are watching out for us when they don't even know what is going on? The following totally bears out our suspicions that were expressed to you during our meeting last Summer:

- ⇒ The Agencies have been notified of problems and exceedences long after the fact, not when they happen,
- ⇒ Changes in previously approved plans are being made without Agency approval, or even, sometimes, knowledge,
- ⇒ WMI and Denver have not returned sample results in a timely manner, particularly after an incident.

McGraw, Roitman  
January 13, 1999  
Page Two

We are aware that there is an ongoing internal EPA investigation involving some issues concerning the Lowry Landfill Superfund site. It is our understanding that the major question is whether the Agency is listening to the citizens. The following items leave that question open to conjecture:

- 1) We requested, but have not witnessed, more random, unannounced inspections by an independent source.
- 2) In the Agency's final analysis of the acceptance of the POTW option, the evaluation table that appears in Attachment E of the Responsiveness Summary did not include numerical values for State and Community Acceptance, and yet the conclusion drawn by the Agency was that the POTW was the favored option.
- 3) CLLEAN's request that the non-renewable water sources that provide water for their domestic wells should not be depleted during cleanup activities was not a serious consideration in the final decision.
- 4) CLLEAN's request for an investigation in to the secret Trust Fund to insure that the funds and interest gained were being used exclusively to clean the Site was declined.
- 5) CLLEAN requested support from the Agencies to encourage Denver and the PRPs to consider installing one well into one of the deeper chemical pits to see if the flare system would be effective in aiding the removal and reduction of the waste materials. We requested that the City share this idea with the PRP technical group. We did not hear from the Agencies again regarding this matter and, the City of Denver totally ignored our request. CLLEAN did not hear from the City again regarding this request until Dennis Bollman responded to a totally different issue and then, as an aside, threw in a one paragraph answer that gave the impression that our request was not seriously considered or even presented to the PRP technical group.

We are tired of the City of Denver and Waste Management, Inc. conducting business in a manner that ignores the peace of mind, safety and well being of the impacted citizenry. Please respond with aggressive plans that will correct and control the oversight and operating procedures at the Lowry Landfill Superfund Site. If you have any further questions, please feel free to contact me at (303)306-5211 (wk) or (303)364-2905 (hnm).

Respectfully Submitted,



Bonnie L. Rader  
Director, CLLEAN

cc:

Marc Herman, EPA Region VIII Lowry Project Manager FAX(303)312-6894  
Joe Vranka, Colorado Department of Health Lowry Project Manager FAX(303)759-5355  
Honorable Wellington Webb  
C/O Theresa Donahue, Manager of Environmental Health, City of Denver FAX(303)640-5609  
Bruce Wilson, Tri County Health Department(303)367-2597  
Marie MacKenzie, Arapahoe County Commissioner FAX (303)794-4657  
Steve Richtel, Waste Management, Inc. FAX (303)797-3031